

REMARKS

The rejections and comments of the Examiner set forth in the First Office Action dated June 16, 2003, have been carefully reviewed by the Applicants. In response, Applicants have amended the claims. Applicants respectfully request the Examiner to consider and allow the amended claims.

Claims 1, 2, 7, 10, 11, 13, 15, 20, and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lee et al. (U.S. Patent No. 5,822,360). The Lee patent is directed to a method and apparatus for transporting auxiliary data in audio signals. Lee uses a traditional LPC filter to filter out auxiliary information streams in order to render them inaudible in the primary audio signal. According to Lee, (See Col 11, lines 52-57), "Once the coefficients for the LPC prediction filter ... are found, the sampled received signal, $y'(n)$, is filtered...." Essentially, the predictive coefficients, as taught by Lee, represent the auxiliary information; applying these coefficients to the LPC thereby filters out the unwanted auxiliary information from the sampled received signal. In contrast, Claim 1 specifically has been amended to discard the predictive coefficients. In Claim 1, the predictive coefficients represent unwanted periodic and quasi-periodic signals. By discarding the predictive coefficients, the interfering periodic and quasi-periodic signals can be effectively removed. It is respectfully submitted that Lee does not teach, disclose, suggest or render obvious discarding the linear predictive coefficients.

Furthermore, independent Claim 11 includes the limitation wherein the LPC filter outputs error information which is then used for signal processing purposes. Lee is silent with respect to any LPC output error terms. It is respectfully submitted

that Lee does not teach, disclose, suggest, or render obvious using error information from an LPC filter for signal processing purposes.

Independent method Claim 20 includes steps for discarding the linear predictive coefficients, wherein the linear predictive coefficients are not used to actively filter said spread spectrum signal and processing error coefficients to retrieve information contained in the spread spectrum signal. In contrast, by using the linear predictive coefficients in filtering out auxiliary signals, Lee actually teaches away from discarding the linear predictive coefficients as claimed in Claim 20. Applicants respectfully submit that Lee does not teach, disclose, suggest, or render obvious the steps as claimed in independent Claim 20.

Claims 4-6, 14, 16-19, and 23-25 stand rejected under 35 U.S.C. §103(a) as being obvious over Lee. These claims depend from independent claims which are non obvious over Lee as stated above. Therefore, it is respectfully submitted that these claims are now allowable.

Claims 3, 8, 9, 12, and 22 were objected to as being dependent upon a rejected bas claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for indicating the allowability of these claims and have amended the claims accordingly.

All claims are now in condition for allowance and such action is earnestly solicited by the Applicants.

If there are any additional charges, please charge them to our Deposit Account
Number 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO

Date: 10/16, 2003

A handwritten signature in black ink, appearing to read "James P. Hao", is written over a horizontal line.

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